

**STATEMENT OF THE HONORABLE FRANK A. LoBIONDO, CHAIRMAN –
SUBCOMMITTEE ON COAST GUARD AND MARITIME TRANSPORTATION
LEGISLATIVE HEARING ON DRAFT LEGISLATION REGARDING BALLAST
WATER MANAGEMENT AND REDUCTION OF AIR POLLUTION FROM SHIPS**

JULY 11, 2006

The Subcommittee is meeting this morning to review draft legislation that addresses the treatment of invasive species in ballast water and the implementation of international vessel emission requirements under Annex 6 to the MARPOL Convention.

This Subcommittee has held numerous oversight hearings on the Federal government's efforts to reduce the risk of aquatic invasive species through the release of ballast water from vessels operating in U.S. waters. The Coast Guard has issued regulations to require all vessels on a voyage originating in a foreign port to carry out ballast water exchange before the vessel enters U.S. waters. I am concerned, however, that ballast water exchange alone may not fully protect our coastal ecosystems from the threat of invasive species.

The draft bill would require the Coast Guard to establish national ballast water discharge standards after the service has certified there exists alternative ballast water management methods, which are capable of reducing the concentration of organisms in ballast water at least to the international standard. If the Coast Guard determines concentrations of invasive species can be reduced to a level which exceeds the international standard, the draft bill requires the Coast Guard to issue regulations implementing methods to do so. The draft bill also proposes to use the Coast Guard's Shipboard Technology Evaluation Program (STEP) to demonstrate the capabilities of experimental alternative ballast water management methods on board vessels active in maritime commerce.

The draft bill is a work in progress. It does not represent a consensus of all interested parties, or the Members of this Subcommittee. I look forward to hearing the comments of the witnesses and of the Members of the Subcommittee on how we should direct the Coast Guard to address ballast water management in the future.

The Subcommittee is also considering draft legislation that would implement international vessel emission standards that were agreed to in MARPOL Annex 6. Earlier this year the Senate gave its advice and consent to the treaty contingent on the adoption of legislation to implement these requirements here in the United States.

The draft bill incorporates several provisions included in the Administration's proposal to Congress with several changes regarding the role of the Environmental Protection Agency (EPA) to develop, administer and enforce regulations aboard vessels operating in the United States. The draft bill proposes to maintain these responsibilities of administering and enforcing U.S. laws aboard vessels under the authority of the Coast Guard. The Coast Guard currently administers and enforces regulations regarding the

release of oil, harmful substances and garbage from vessels that were issued under the authority of the Act to Prevent Pollution from Ships. The Coast Guard should remain the primary Federal agency responsible for implementing the Act.

The draft bill would require the Coast Guard, in consultation with the EPA, to issue regulations to reduce the emission of pollutants from vessels operating in U.S. territorial waters. The draft bill would also require ports and terminals to provide vessel operators access to adequate reception facilities for ozone depleting substances and other compounds.

I thank the Members of the Subcommittee for their continued involvement in the development of this legislation, and I look forward to working with you as we continue to address these important issues.

I thank the witnesses for appearing this morning and look forward to hearing your testimony.